

February 19, 1975

after "psychologist".

SENATOR BARNETT: I knew he would say something like that.

SPEAKER: Shall the Committee amendment be adopted? Have you all voted? The Clerk will record.

CLERK: 26 ayes, 0 nays, 23 not voting, Mr. President.

SPEAKER: The Committee amendments have been adopted. Senator Barnett, what do you want to do with the bill?

SENATOR BARNETT: I'd move that LB 290 be advanced as amended. I think all the members should pay attention to LB 290 and if I could get them to look at the bill, it might be one that they have more question on in the juvenile area and I don't want anybody saying I am trying to put anything over, the Nebraska Committee for Youth is trying to put anything over. This is something that is not being done. It is being talked about in a national magazine right now, what Nebraska is trying to do for the juvenile legislation. It is also being talked about in the news media as one of the biggest steps, and probably, I don't know whether you will have a controversy on this bill or not. I personally don't. I think it is a pretty good idea but then that is up to you to discuss. What this bill does, and some courts at this time are trying it but there is a question as to whether it is legal but sometimes they say the courts can do about anything they want. This will allow a child, a young person who is going through the court systems, at the time that the judge deems it necessary, post-adjudication or pre-adjudication, that the child can remain in its own home instead of going to an institution or to a foster home, if the parents agree to conditions, agree to change conditions in their home and as you look through them with me, the courts are trying to eliminate some of the problems at home that might be causing the child to go astray. Some of them are neglected children. The parents come in and they say, we'd like to keep the child at home. Don't send it to a foster child. There is a problem now, a question, a legal question as to whether the courts can say, OK, we will leave the child in their home but you have to do, like #2, provide adequate food, shelter, clothing, medical care and other needs of the child or you have to take proper steps to insure the child's regular school attendance. #3, give adequate supervision to the child in the home. #7, and I am jumping through these and I am hoping you are following me on this bill but #7, you might have to seek some medical help for the child or for the family. Maybe the parent needs some help. There could possibly be a drinking problem that is causing dissension at home. What this bill really tries to do is it tries to keep the family together instead of splitting the child and sending him to an institution. So, therefore, I'd...I hope I've explained it and I would move for LB 290 as amended to be advanced to E & R.

SPEAKER: The chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. Speaker, members of the Legislature, I can't really object to the concept of trying to keep children in the home rather than sending them to an institution but it seems to me that there is some potential for abuse in this bill because there are very few procedures itemized. Now Senator Barnett in earlier juvenile bills said that we have a lot of different judges in the state that use a lot of discretion and that it varies from jurisdiction to jurisdiction as to what sort of penalty is imposed and publicity